

Message Text

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ACTION L-01

INFO OCT-01 SS-14 ISO-00 EUR-08 NSC-05 NSCE-00 INR-05

CIAE-00 PM-03 SP-02 OMB-01 TRSE-00 PRS-01 ABF-01

SAJ-01 A-01 OC-01 CCO-00 SSO-00 INRE-00 /045 W

----- 097227

O 061727Z FEB 76

FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 2551

INFO SECDEF WASHDC

JCS WASHDC

USMISSION NATO PRIORITY

USCINCEUR

CINCUSNAVEUR

CINCUSAFE

USNMR SHAPE

USDELMC

C O N F I D E N T I A L ATHENS 1191

LIMDIS

E.O. 11652: GDS

TAGS: MARR PFOR GR US

SUBJECT: US-GREEK BASE NEGOTIATIONS - STATUS OF
FORCES (SOFA)

REF: A. ATHENS 1188 (DTG 061645Z FEB 76); B. STATE 26953 (DTG
040029Z FEB 76)

SUMMARY: THE US DRAFT EXCHANGE OF NOTES TO IMPLEMENT THE NEW
SOFA WAS EXAMINED BY THE SOFA SUBGROUP AND MODIFIED TO MEET
GREEK REQUIREMENTS. WASHINGTON APPROVAL OF REVISED TEXT
REQUESTED AS SOON AS POSSIBLE. END SUMMARY.

1. AS STATED IN REF A, THE US DRAFT EXCHANGE OF NOTES TO
IMPLEMENT THE NEW SOFA, AS CONTAINED IN REF B, WAS TABLED
IN THE SOFA SUBGROUP ON FEBRUARY 6. THE GREEK SIDE
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WAS RECEPTIVE TO THE CONCEPT OF PUTTING THE SOFA INTO

DEFINITIVE EFFECT DURING THIS ROUND BUT EXPRESSED CONSIDERABLE DIFFICULTY WITH THE US FORMULATION TO ACCOMPLISH THAT PURPOSE. ON FEBRUARY 7 THE GREEKS PROPOSED A NUMBER OF REVISIONS TO THE US DRAFT. AFTER EXTENSIVE EXAMINATION OF THE GREEK CONCERNS, THE SUBGROUP AGREED TO SUBMIT THE FOLLOWING REVISED TEXT TO THEIR RESPECTIVE GOVERNMENTS FOR CONSIDERATION:

QUOTE

EXCELLENCY:

I HAVE THE HONOR TO REFER TO OUR RECENT NEGOTIATIONS REGARDING THE STATUS OF UNITED STATES FORCES IN GREECE AND THE TERMS OF THE ATTACHED AGREEMENT. THE GOVERNMENT OF THE UNITED STATES IS PREPARED TO IMPLEMENT THE "AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF GREECE CONCERNING THE STATUS OF UNITED STATES FORCES IN GREECE" AS ATTACHED HERETO, ON THE FOLLOWING TERMS:

1. THE GOVERNMENT OF GREECE AUTHORIZES THE SIZE OF THE CIVILIAN COMPONENT OF THE UNITED STATES FORCES, AS DEFINED IN ARTICLE I OF THE ATTACHED AGREEMENT, TO EXCEED TWENTY-TWO AND ONE-HALF PERCENT OF THE TOTAL CIVILIAN WORK FORCE UNTIL EIGHTEEN MONTHS SHALL HAVE ELAPSED FROM THE EFFECTIVE DATE OF THE ATTACHED AGREEMENT. THE GOVERNMENT OF THE UNITED STATES IN TURN AGREES THAT DURING THIS PERIOD THE SIZE OF THE CIVILIAN COMPONENT SHALL NOT EXCEED TWENTY-FIVE PERCENT OF THE TOTAL CIVILIAN WORK FORCE WITHOUT THE EXPRESS CONSENT OF THE GOVERNMENT OF GREECE.

2. THE ATTACHED AGREEMENT SHALL SUPERSEDE THE "AGREEMENT BETWEEN THE UNITED STATES OF AMERICAN AND THE KINGDOM OF GREECE CONCERNING THE STATUS OF UNITED STATES FORCES IN GREECE," DATED SEPTEMBER 7, 1956, AND THE PROVISIONS OF ALL OTHER EXISTING AGREEMENTS BETWEEN THE TWO GOVERNMENTS RESPECTING THE STATUS OF THE UNITED STATES FORCES, THE MEMBERS OF THOSE FORCES AND OF THE CIVILIAN

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COMPONENT, AND DEPENDENTS IN GREECE. UNTIL THE TECHNICAL ARRANGEMENTS CONTEMPLATED BY THE ATTACHED AGREEMENT ARE COMPLETED, PROVISIONS OF EXISTING TECHNICAL ARRANGEMENTS NOT INCONSISTENT WITH THAT AGREEMENT WILL CONTINUE TO APPLY.

3. ATTACHED AGREEMENT SHALL ENTER INTO FORCE ON THE THIRTIETH DAY FOLLOWING THE DATE OF THIS EXCHANGE OF

NOTES, IN ACCORDANCE WITH THE RESPECTIVE LEGAL PROCEDURES OF THE TWO GOVERNMENT.

4. EITHER GOVERNMENT MAY AT ANY TIME REQUEST REVISION OF ANY ARTICLE OF THE ATTACHED AGREEMENT OR OF ANY PROVISION OF THIS EXCHANGE OF NOTES, IN WHICH CASE THE TWO GOVERNMENTS SHALL ENTER INTO NEGOTIATIONS THROUGH APPROPRIATE CHANNELS.

5. EITHER GOVERNMENT MAY TERMINATE THE ATTACHED AGREEMENT UPON NOTICE IN WRITING OF NO LESS THAN TWELVE MONTHS.

6. THE ATTACHED AGREEMENT SHALL REMAIN IN EFFECT FOR SO LONG AS THE TWO GOVERNMENT SHALL CONTINUE TO BE PARTIES TO THE "AGREEMENT BETWEEN THE PARTIES OF THE NORTH ATLANTIC TREATY REGARDING THE STATUS OF THEIR FORCES," DATED JUNE 19, 1951, OR UNTIL SUCH TIME AS THE TWO GOVERNMENTS MUTUALLY AGREE ON ITS TERMINATION. IF THE FOREGOING PROVISIONS AND THE AGREEMENT ATTACHED HERETO ARE ACCEPTABLE TO YOUR GOVERNMENT, THIS NOTE AND YOUR EXCELLENCY'S REPLY THERETO INDICATING SUCH ACCEPTANCE SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS CONCERNING THESE MATTERS.

PLEASE ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERATION. UNQUOTE

2. THE INITIAL PARAGRAPH OF THE FOREGOING DRAFT REFERS TO "RECENT" RATHER THAN "CURRENT" NEGOTIATIONS SINCE THE SOFA NEGOTIATIONS WILL HAVE BEEN CONCLUDED AT THE TIME OF IMPLEMENTATION. THE GREEKS ALSO OBJECTED TO THE US DRAFT STATEMENT THAT THE US "IS WILLING TO CONCLUDE" A CONFIDENTIAL

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SOFA AS BEING UNILATERAL IN TONE AND INCONSISTENT WITH THE FACT THAT THE SOFA WAS "CONCLUDED BY BOTH SIDES."

3. THE GREEKS REITERATED THAT ON THEIR SIDE THE NEW SOFA WOULD HAVE TO BE SUBMITTED FOR PARLIAMENTARY APPROVAL AND COULD NOT COME INTO "DEFINITIVE" EFFECT UNTIL THAT WAS ACCOMPLISHED. THE FORMULATION OF THE THIRD NUMBERED PARAGRAPH OF THE REVISED DRAFT IS DESIGNED TO GIVE THE GREEKS 30 DAYS TO OBTAIN PARLIAMENTARY RATIFICATION AND PUBLICATION OF THE TEXT IN THE OFFICIAL GAZETTE. WE ARE INCLINED TO VIEW THIS 30-DAY HIATUS AS POTENTIALLY ADVANTAGEOUS TO THE US IN THAT IT WILL ALLOW A MORE ORDERLY IMPLEMENTATION BY AFFECTED US MILITARY ACTIVITIES.

4. THE REVISION OF NUMBERED PARAGRAPH 4 IS DESIGNED TO

PERMIT FUTURE REVISION OF THE DURATION PROVISIONS IN NUMBERED PARAGRAPH 6. THE GREEKS HAD INITIALLY PROPOSED TO INCLUDE A PROVISION IN THE LATTER PARAGRAPH WHICH WOULD HAVE MADE THE DURATION SUBJECT TO FUTURE DETERMINATION. WE BELIEVE THAT THE INCLUSION OF A PROVISION IN PARAGRAPH 4 PERMITTING REVISION OF THE EXCHANGE OF NOTES IS A PREFERABLE APPROACH TO THIS PROBLEM.

5. NUMBERED PARAGRAPH 5 HAS BEEN REVISED AT GREEK REQUEST TO AVOID TYING PROCEDURES FOR TERMINATION TO PROCEDURES FOR REVISION. IN OUR VIEW THE GREEK PROPOSAL IS ACCEPTABLE.

6. THE GREEKS REVEALED THAT THEY WOULD HAVE DIFFICULTY TYING THE DURATION OF THE NEW SOFA TO THE LIFE OF THE NORTH ATLANTIC TREATY, DUE TO POLITICAL SENSIBILITIES "IN SOME QUARTERS." WE FEEL THAT TYING THE DURATION OF THE NEW SOFA TO THE NATO SOFA IS AN ACCEPTABLE ALTERNATIVE.

7. THE GREEKS CONTEMPLATE THAT THE NEW SOFA WOULD BE SUGNEDSIMULTANEOUSLY WITH THE EXECUTION OF THE FOREGOING EXCHANGE OF NOTES, BUT THAT IT WOULD NOT ENTER INTO FULL FORCE AND EFFECT UNTIL 30 DAYS HAVE ELAPSED THEREAFTER. HOWEVER, WITH THE SIGNING OF THE SOFAITSELF, THE AGREEMENT OF THE TWO GOVERNMENT WOULD HAVE CONFIDENTIAL

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BEEN FINALLY CONCLUDED. THIS FORMULATION IS DESIGNED TO "DEFINITELY CONCLUDE" THE SOFA AND YET PROVIDE THEM WITH THE OPPORTUNITY TO SATISFY THEIR PARLIAMENTARY REQUIREMENTS.

8. REQUEST WASHINGTON APPROVAL OF THE FOREGOING TEXT AS SOON AS POSSIBLE. ASSUMING THE REMAINING SOFA ISSUES CAN BE RESOLVED WITHIN THE NEXT FEW DAYS, WE WOULD HOPE TO BE ABLE TO SIGN THE SOFA AND EXECUTE IT THROUGH THE FOREGOING EXCHANGE OF NOTES AT THE CONCLUSIONS OF ROUND THREE. KUBISCH

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, MILITARY BASES, DIPLOMATIC NOTES
Control Number: n/a
Copy: SINGLE
Draft Date: 06 FEB 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ATHENS01191
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760046-0869
From: ATHENS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760276/aaaacovr.tel
Line Count: 212
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: 76 ATHENS 1188, 76 STATE 26953
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 02 FEB 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 FEB 2004 by morefirh>; APPROVED <26 AUG 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US-GREEK BASE NEGOTIATIONS - STATUS OF FORCES (SOFA)
TAGS: MARR, MASS, US, UR
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006